IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 10TH APRIL 2007 / 20TH CHAITHRA 1929

WP(C).No. 7734 of 2007(U)

PETITIONER:

K.MANOHARAN, S/O.KUNHAMBU CHETTY,
KUZHICHALIL HOUSE, KALPATHUR P.O.,
KOYILANDY TALUK, KOZHIKODE DISTRICT,
KERALA STATE.

BY ADV. SRI.T.SETHUMADHAVAN
SRI.PUSHPARAJAN KODOTH
SRI.K.JAYESH MOHANKUMAR

RESPONDENTS:

THE SECRETARY,
MEPAYUR CO-OPERATIVE HOUSING SOCIETY
NO.D.1392, MAPPAYUR P.O., KOZHIKODE DISTRICT,
KERALA STATE

BY ADV. SRI.K.LAKSHMINARAYANAN
SMT.SATHYA SHREEPRIYA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 10/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

P1: TRUE PHOTOCOPY OF ORDER OF THE CO-OPERATIVE TRIBUNAL DT.27.1.2006.

P2: TRUE PHOTOCOPY OF THE MONEY RECEIPT DT.14.3.2006.

P3: TRUE PHOTOCOPY OF AFFIDAVIT DT.16.10.2006 FILED BY PETITIOENR IN R.P. NO.378/2005.

P4: TRUE PHOTOCOPY OF SALE PROCLAMATION DT.5.2.2007 ISSUED BY THE MUNSIFF COURT PERAMBRA.

RESPONDENT'S EXHIBITS:

R1(a): TRUE COPY OF JUDGMENT DT.5.9.02 IN O.P. 14175/00 BEFORE THIS HON'BLE COURT.

R1(b): TRUE COPY OF ORDER DT.27.9.06 IN RP 378/05 BEFORE THE KERALA CO-OPERATIVE TRIBUNAL, TRIVANDRUM.

TRUE COPY

P.A. TO JUDGE

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.7734 of 2007

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Dated this the 10th day of April, 2007.

JUDGMENT

Since petitioner has filed application for restoration of appeal dismissed for default, W.P. is disposed of directing the Co-operative Tribunal to hear the petitioner and dispose of the application for restoration filed by the petitioner within one month from the date of production of copy of this judgment and if appeal is restored, to dispose of appeal within two months thereafter. Interim order granted by this court will continue for six weeks from now and if appeal is restored, interim order will continue for another two months thereafter.

C.N.RAMACHANDRAN NAIR
Judge

pms